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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
RUFINO COSTALES,  
Defendant.

Case No. 20-mj-71532-MAG-1 (VKD)

## DETENTION ORDER

The United States moves for detention of defendant Rufino Costales. The Court held a hearing on the motion on November 5, 2020. Mr. Costales appeared by video conference and was represented by counsel. Mr. Costales waived written findings, and the United States does not object to that waiver.

The Court has considered the parties' presentations and proffers of evidence, as well as the factual findings contained in the report of Pretrial Services. The Court has considered the factors set forth in 18 U.S.C. § 3142(g). For the reasons stated on the record during the hearing, the Court concludes that, while there may be conditions or a combination of conditions of release that would reasonably assure Mr. Costales's appearance, there are no such conditions of release that would reasonably assure the safety of others and the community. Accordingly, the Court concludes that Mr. Costales should be detained pending further proceedings in this case.

Mr. Costales is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Mr. Costales shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a

1 court of the United States or on the request of an attorney for the United States, the person in  
2 charge of the corrections facility shall deliver Mr. Costales to the United States Marshal for the  
3 purpose of appearances in connection with court proceedings.

4 **IT IS SO ORDERED.**

5 Dated: November 5, 2020

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8 VIRGINIA K. DEMARCHI  
9 United States Magistrate Judge

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United States District Court  
Northern District of California